

# PCT



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference P044712	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/JP 03/07427	International filing date (day/month/year) 11.06.2003	Priority date (day/month/year) 14.06.2002
International Patent Classification (IPC) or both national classification and IPC B05C17/03		
Applicant KANSAI PAINT CO., LTD. et al.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 7 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of    sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  25.12.2003	Date of completion of this report  15.09.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Jelercic, D  Telephone No. +49 89 2399-2941  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/JP 03/07427

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-127 as originally filed

**Claims, Numbers**

1-20 as originally filed

**Drawings, Sheets**

1/31-31/31 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	10-20
	No: Claims	1, 3, 7, 8, 9
Inventive step (IS)	Yes: Claims	10-20
	No: Claims	4, 5, 6
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

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**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

- D1: US-A-2 565 743 (SCHAEFER ALBERT W) 28 August 1951 (1951-08-28)
- D2: EP-A-0 241 370 (TILLEKE RAMY S GOONE) 14 October 1987 (1987-10-14)
- D3: PATENT ABSTRACTS OF JAPAN vol. 011, no. 317 (C-452), 15 October 1987 (1987-10-15) -& JP 62 106863 A (OHBAYASHIGUMI LTD), 18 May 1987 (1987-05-18)

**1st invention - Claims: 1, 3 and 4**

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claim 1** is not new in the sense of Article 33(2) PCT.
  - 1.1 The document **D1** discloses (the references in parentheses applying to this document): a coating pressure feed roller comprising a solid cylindrical body (16) being solid except an axial center hole (11) passed through the axial center of said solid cylindrical body (16), and radial holes (17) radially extended from a plurality of positions of said axial center hole (11); and a roller brush (22) applied to the outer periphery of said solid cylindrical body (16).
  - 1.2 Thus D1 discloses all the features of independent **claim 1**. Therefore, the subject-matter of **claim 1** is not novel in respect to the prior art as defined in the regulations (Rule 64(1)-(3) PCT). Hence, the present application does not satisfy the criterion set forth in Article 33(2) PCT.
2. Dependent **claims 3** and **4** do not contain any features which, in combination with the features of any claim to which they refer, give rise to either novel subject-matter (Article 33(2)PCT) or subject-matter that involves inventive step (Article 33(3)PCT) as all the features introduced with these claims seem to be known while used with a corresponding technical effect and/or seem to be minor workshop variants which come within the scope of customary practice followed by persons skilled in the art. Compare the features introduced with

- **claim 3** with D1 (see column 1, line 44 - column 2, line 19 and figures 2

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and 3);

- **claim 4** with D2 (see column 3, line 57- column 4, line 28 and figure 2);

**3rd invention - Claims: 5-15**

3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claim 5** does not involve an inventive step in the sense of Article 33(3) PCT.

3.1 Independent **claim 5** differs from the coating pressure feed roller of D3 by the combination of the pressure feed roller and coating rollers. However, this additional feature does not seem to constitute a difference which could lead to subject-matter involving an inventive step according to Article 33(3) PCT as it merely relates to a matter of design convenience which is known in the art and does not provide any surprising effects going beyond those already obtained by the structure used in the roller of D3.

3.2 Dependent **claim 6** does not contain any features which, in combination with the features of any claim to which they refer, gives rise to subject-matter that involves inventive step (Article 33(3)PCT) as all the features introduced with this claim seem to be known while used with a corresponding technical effect and/or seem to be minor workshop variants which come within the scope of customary practice followed by persons skilled in the art. Compare the features introduced with

- **claim 6** with D3 (see abstract and figures).

**Further remarks**

4.1 Independent claims 1, 2, 5, 7, 8, 9, 16, 19 and 20 are not drafted in the two part form specified in Rule 6.3b) of the PCT.

4.2 Reference numerals are missing after the technical features of the claims (see Rule 6.2b) and PCT Preliminary Examination Guidelines, Chapter III, 4.11).

4.3 The description does not cite a document reflecting the closest background art (see Rule 5.1a) ii) PCT).

- 4.4 Although the following groups of claims 5, 7, 8 and 9; 16, 19 and 20 have been drafted as separate independent claims, each claim in the respective group of claims appears to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection. Hence, the group of claims 5, 7, 8 and 9; 16, 19 and 20 do not comply with the requirements of Article 6 PCT.

**Claims: 2, 7, 8, 9, 16, 19 and 20**

5. Independent claims 2, 7, 8, 9, 16, 19 and 20 meet the requirements of novelty, inventive step and industrial application according to Articles 33(2) to 33(4) PCT.
- 5.1 The subject-matter of independent claims 2, 7, 8, 9, 16, 19 and 20 is novel as none of the prior art documents cited in the Search Report or acknowledged in the description discloses all of the features or method steps, respectively, of these independent claims.
- 5.2 The documents cited in the Search Report do not render any suggestion to the skilled person to construct a coating roller as disclosed in D1 according to the further features of independent claim 2. The features concerning the mutual arrangement of a plurality of divided roller brush assemblies with an elastic member by which said divided roller brush assemblies are pulled to each other and a flexible tube passing through the axial centre holes of all said assemblies result from a step being non-obvious in view of the cited prior art documents in which no incentive is given to provide this specific structure and arrangement. Thus the coating roller according to independent claim 2 involves an inventive step.
- 5.3 The documents cited in the Search Report do not render any suggestion to the skilled person to construct an automated coating apparatus as disclosed in D3 according to the further features of either of independent claims 7, 8 and 9. The features concerning the mutual arrangement of a robot, robot control unit, a coating pressure feed roller, and a curved surface operable roller result from a step being non-obvious in view of the cited prior art documents in which no incentive is given to provide this specific structure and arrangement. Thus the automated coating apparatus according

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to either of independent claims 7, 8 and 9 involves an inventive step.

- 5.4 The documents cited in the Search Report do not render any suggestion to the skilled person to construe a method for coating an object as disclosed in D1 according to the further method steps of either of independent claims 16, 19 or 20. These method steps result from a step being non-obvious in view of the cited prior art documents in which no incentive is given to provide this specific coating method. Thus the coating methods according to either of independent claims 16, 19 and 20 involve an inventive step.
- 5.5 The subject-matter of independent claims 2, 7, 8, and 9 is able to work, can be manufactured, and the method steps of independent claims 16, 19 and 20 can be carried out. Thus the subject-matter of claims 2, 7, 8, and 9 and the method of claims 16, 19 and 20 is looked upon as being industrially applicable.

REQUEST FOR RECTIFICATION  
OF OBVIOUS ERROR



To: Commissioner of the Patent Office

1. Identification of the International Application  
PCT/JP03/07427

2. Applicant

Name: KANSAI PAINT CO., LTD.

Address: 33-1, Kanzaki-cho, Amagasaki-shi, Hyogo  
661-0964 JAPAN

Country of nationality: JAPAN

Country of residence: JAPAN

3. Agent

Name: HONDA Hironori      Signature \_\_\_\_\_

Address: Eikoh Patent Office

28th Floor, ARK Mori Building,  
12-32, Akasaka 1-chome, Minato-ku,  
Tokyo 107-6028 JAPAN

4. Item to be Rectified

Continuation of Box No. III

FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

5. Subject Matter of Rectified

As per the attached sheets

"HIRAI Akio" is rectified to "HIRAI Haruo"

6. List of Attached Documents

Page 2 of REQUEST

1 sheet



## Continuation of Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

If none of the following sub-boxes is used, this sheet should not be included in the request.

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

ABE Shigeyuki  
c/o KANSAI PAINT CO., LTD.,  
33-1, Kanzaki-cho, Amagasaki-shi, Hyogo 661-8555  
JAPAN

This person is:

- ☐ applicant only  
☒ applicant and inventor  
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:  
JAPAN

State (that is, country) of residence:  
JAPAN

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

HIRAI Haruo  
c/o KANSAI PAINT CO., LTD.,  
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Kanagawa 254-8562 JAPAN

This person is:

- ☐ applicant only  
☒ applicant and inventor  
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:  
JAPAN

State (that is, country) of residence:  
JAPAN

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only  
☐ applicant and inventor  
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

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State (that is, country) of residence:

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only  
☐ applicant and inventor  
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:

State (that is, country) of residence:

This person is applicant for the purposes of:

- ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

☐ Further applicants and/or (further) inventors are indicated on another continuation sheet.